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| OSHA LIANG L.L.P. 1221 MCKINNEY STREET SUITE 2800 HOUSTON, TX 77010 | | | EXAMINER NISSAN, BARAK | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/524,854

Applicant(s)

SENDRA, FRANCOIS

Examiner

Barak Nissan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19-36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 19-36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/18/05 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 6/15/2006
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. The communication is in response to Application No. 10/524854 filed 02/18/2005, claims 1-18 were cancelled and claims 19-36 were added by preliminary amendment. Claims 19-36 have been examined.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: Figure 7. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

3. **Claim 20** is objected to because of the following informalities: spelling error "zero"(line 4). Appropriate correction is required.

4. **Claims 26-28** are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim.

Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

5. In this case, claim 25 from which claims 26-28 depend on is directed to a machine category patentable subject matter claim, i.e. “the data processing device”.

The limitations of claim 25 further limit the data processing device, with the browser and plug-in contained therein, as such the claim is hereby for the purposes of examination treated as a machine claim, i.e. “data processing device” claim. In accordance with 37 CFR 1.75(c) one or more claims may be presented in dependent form, referring back to and further limiting another claim(s) in the same application. Further, “a claim in a dependent form shall be construed to incorporate by reference all the limitations of the claim to which it refers” and requires the dependent claim to further limit the subject matter claimed (see MPEP 2164.08).

6. Specifically, dependent claims 26-28 do not refer back to and/or further limit the data processing device, rather these claims refer back to and further limits the “computer resource”, as such these claims are deemed to be in improper dependent form for failing to further limit the claimed subject matter of a previous claim.

7. Regarding **claim 36** is objected because specifying, “create, in a browser” does not make any sense in terms of one ordinary skill in the art. Browsers are just a piece of software accessing internet websites thus, not containing any physical memory where it can store information.

Claim Objections - 35 USC § 112

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8. **Claims 24, 26 and 31** are objected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The words “manager” and “entity” are unclear in defining what they are in the specification.

Claim Rejections - 35 USC § 112

9. **Claims 19-26, 28-31, 33, and 34-36** are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. For example in claim 19, it appears that the subject matter that is claims “browser comprising private zones” provided in this invention can not be implemented due to the fact that a browser is a piece of software that is non-tangible and as such can not hold computer-readable medium. Therefore, the claimed invention is inoperative and lacks enablement.

10. According to applicants specification, a browser comprising of “private zones” where the zones are assigned an area of memory within the set of resources to store data. Each private zone is secured using an access key that can enable the transmission of data across from browser to any resource. The subject matter as claimed is uncertain to one of ordinary skilled at the time the invention was made as to how a browser consisting of “private zones” that hold memory. Browsers are based on software used to view and interact with various types of resources.

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Browsers have no physical memory that can store information. One from the ordinary skill in the art could understand that browsers provide an easy to use interface for accessing data.

11. Regarding **claims 19-23, 25, 29-33, 35, and 36**, the same subject matter is substantially recited, and similar rationale is applicable. For the purposes of examination, the browser does not contain or hold memory or perform memory functions. Therefore, the browser and zones are separate elements in the claims disclosed.

Claim Rejections - 35 USC § 101

12. Claim **35** is rejected under 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

In this case, computer plug-ins are software related that are non-statutory categories when claimed as descriptive material *per se* (see *Warmerdam*, 33 F.3d at 1360 USPQ2d at 1759), falling under the “process” category (i.e. inventions that consist of a series of steps or acts to be performed). See 35 U.S.C. 100(b) (“The term process means, art, or method, and includes a new of a known process, machine, manufacture, composition of matter or material”). Functional descriptive material: “data structure” representing descriptive *per se* (i.e. software *per se*) when embodied in a computer-readable media are still not statutory because they are not capable of causing functional change in the computer. However, a claimed computer-readable storage medium encoded with a data structure, computer listing or computer program, having defined structural and functional interrelationships between the data structure, computer listing or computer program and the computer software and hardware component, which permit the data structure’s, listing or program’s functionally to be realized, is statutory (see MPEP §2106).

Claim Rejections - 35 USC § 102

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13. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

14. Claim 19, 24, 25, 36 are rejected under 35 U.S.C. 102(e) as being anticipated by Harris et al. (US 2004/0034559).

Regarding claim 19, Harris discloses a data processing device (i.e. computer, abstract) configured to communicate with a plurality of resources (i.e. websites, abstract) via a browser, comprising:

the browser (abstract) comprising a first private zone and a second private zone (consisting of first region and the second region, abstract), wherein the first private zone and the second private zone are each configured to be allocated to a respective set of resources of the plurality of resources (“the formatted web pages of the content-based website are transmitted from the online publisher server computer for display in the first region of the client computer for browser display screen...”, abstract) to store information; and

a plug-in (wherein a plug-in is interpreted to be a software program that provides added functionally to larger applications such as the application to display the regions in Harris, figure 2B) configured to ensure that the respective set of resources communicate exclusively (communicating independently, abstract) with the first private zone allocated to the respective set of resources (abstract).

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15. Regarding claim 24, Harris discloses a data processing device (i.e. computer, abstract), further comprising:

a manager comprising code instructions adapted to manage (formatting web pages is interpreted to be managing as well as “online publisher” and “online advertiser”, 0026) use of the data processing device, wherein the plug-in (wherein a plug-in is interpreted to be a software program that provides added functionality to larger applications such as the application to the regions in Harris, figure 2B) further comprises functionality to manage, upon request, allocation of the first private zone(regions, abstract) to the respective set of resources by supplying information to the respective set of resources, wherein information comprises a reference of the first private zone. Harris teaches formatted web pages, referring to web pages (resources) that are designed to be displayed in specific display regions of a single computer browser display screen (abstract, 0013). Harris having a entity “online publisher” and “online advertiser” which manages the information where the regions exclusively are transmitted to websites, [0026].

16. Regarding claim 25, Harris teaches a computer resource (i.e.website, abstract) communicating with a data processing device (i.e. computer, abstract) via a network, wherein the data processing device comprises:

a browser (abstract); and a plug-in (wherein a plug-in is interpreted to be a software program that provides added functionality to larger applications such as the application to the regions in Harris, figure 2B) which, when executed, is configured to obtain an allocation of a private zone (regions, abstract), wherein the allocation ensures that the communication between the private zone and the computer resource is exclusive (abstract).

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17. Regarding claim 36, Harris teaches a computer readable medium, embodying instructions executable by the computer to perform method steps for communication using a data processing device (i.e. computer, abstract), the instructions comprising functionality to:

create, in a browser, a first private zone and a second private zone, wherein each of the first private zone and the second private zone (first and second region, abstract, 0013) is configurable to be allocated to a respective set of resources and store security information ensuring secured communication between at least one of the first private zone and the second private zone and the respective set of resources (websites, abstract);

allocate the first private zone to the respective set of resources; and

communicate between the allocated private zone and the respective set of resources, wherein a plug-in (wherein a plug-in is interpreted to be a software program that provides added functionally to larger applications such as the application to the regions in Harris's teachings) denies access during the communication to the second private zone. (page 6, claim 57)

Claim Rejections - 35 USC § 103

18. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim **20-23, 26-35** are rejected under 35 U.S.C. 103(a) as being unpatentable over Harris et al. (US 2004/0034559) in view of Intel (Entrust Secure Web Portal Solution for Microsoft Windows NT, cited in IDS dated 6/15/06).

19. Regarding claim 20, Harris taught the data processing device according to claim 19, as described above. Harris teaches wherein the plug-in (wherein a plug-in is interpreted to be a software program that provides added functionality to larger applications such as the application to the regions in Harris's teachings) comprises at least one input parameter, the first and second private zones of the browser (first and second region of the displayed browser, abstract).

Harris does not explicitly disclose parameter corresponding to a zone access key, wherein a value of the zone access key is supplied through a secured transmission by the respective set of resources corresponding to the first private zone, after execution and depending on the zone access key, is able to authorize access to the first private zone and deny access to the second private zone.

Intel discloses authentication to access the browser using zone access key for secured transmission by the respective set of resources corresponding to the private zones and after execution, depending on the zone access key, is able to authorize access to the first private zone and deny access to the second private zone ("If any test fails, access is denied and the user is redirected to an appropriate page", page 10).

It would have been obvious to one ordinary skilled in the art at the time invention was made having the teachings of Harris and Intel before them, to modify Harris's teachings to include the zone access key to authorize access as taught in Intel in the private zones of Harris. One would be motivated to combine Harris's teachings with Intel's teachings because web-bases

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services would agree that the advantages the content of web-based website communications would need the use of security keys that would reduce risks from unauthorized or undetected users to access displayed browser screens. (Intel, page 4)

20. Regarding claim 21, Harris taught the data processing device (i.e. computer, abstract) of claim 20, as described above. Harris further teaches a corresponding allocated private zone from a group consisting of the first private zone and the second private zone (regions, abstract). (Harris discloses, a online publisher server and online advertiser server including a web based website storing memory where are formatted to be displayed from each server corresponding to the regions displayed on the browser, [0013]).

Intel further teaches, wherein the respective set of resources performs authentication by transmitting a request to the browser prompting the user to enter the zone access key received, and if the access key is correct, (Intel states, “getAccess can dramatically simplify the integration services of Web resources by...,” [page 9], the plug-in comprises code (wherein a plug-in is interpreted to be a software program that provides added functionality to larger applications such as the application to the regions in Harris, figure 2B) instructions adapted to manage authentication between the respective set of resources.

It would have been obvious to one of ordinary skilled in the art at the time of invention made having the teachings of Harris and Intel before them, to modify Harris’s teachings to include the zone access key to authorize access as taught in Intel in the private zones. One would be motivated to combine the teachings of Harris with the

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teachings of Intel that deals with the performed authentication made by the user to enter an access key for displayed browser screen.

21. Regarding claim 22, Harris taught the data processing device (i.e. computer, abstract) of claim 19, as described above. Harris teaches, wherein the first private zone and the second private zone are each configured to store information, [“including personalized information in the formatted marketing-based web pages, the personalized information being based on the stored data that is representative...” page 4. This deals with the regions that displayed within the browser screen, referring to claim 1], however Harris does not teach, wherein information comprises security information ensuring secured communication between at least one of a group consisting of the first private zone and the second private zone, and the respective set of resources.

Intel teaches, wherein information comprises security information ensuring secured communication between at least one of a group consisting of the first private zone and the second private zone, and the respective set of resources (security information ensuring the communication of the zones within the resources, page 15).

It would have been obvious to one of ordinary skilled in the art at the time of invention made given that the teachings of Harris and Intel to modify the zones of Harris to include security information as taught by Intel. One would be motivated to combine this teachings with Intel teachings because it elaborates more on the security keys ensuring secured communication transmitting information on web based resources.

22. Regarding claim 23, this claim comprises the data processing device according to claim 22, as described in both the two teachings above. Harris teaches, wherein the

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data processing device interprets code instructions and, is configured to manage the administration of the at least one of the first private zone and the second private zone as well as the use of application data in the at least one of the first private zone and the second private zone (regions, abstract) during a communication between the browser and the respective set of resources, however, Harris does not teach authentication and using security information stored in at least one of the first private zone and the second private zone.

Intel teaches the authentication and using security information (i.e. access key, page 4) in the web-based websites.

One would be motivated to combine these two teachings with regards to the above claims teaching data information within the regions and only accessed with secured keys to access in the displayed browser screen. Thereby, similar rationale of rejection is applicable as claim 22.

23. Regarding claim 26, Harris teaches the computer resource according to claim 25, as described above. Harris teaches wherein the private zone is managed by an entity (i.e. online publisher, online advertiser, 0026), wherein the entity is configured to allocate the private zone (region, abstract) to the computer resource (website, [0026]), however does not teach transmits security parameters to the computer resource, wherein the parameters identify the private zone.

Intel teaches transmits security parameters to the computer resource, wherein the parameters identify the private zone (page 10).

It would have been obvious to one of ordinary skilled in the art at the time of

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invention made given that the teachings of Harris having the teachings of Harris and Intel before them, to modify the zones to include transmitting security parameters as taught in Intel in the private zones managed by the online publisher and online advertiser of Harris. One would be motivated to combine the teaching of Harris with Intel that discusses the security parameters to access the data information.

24. Regarding claim 27, Harris teaches the computer resource according to claim 26, wherein: the entity is further configured to transmit to the computer resource ([0026]), however, Harris does not teach, at least one master key previously stored in the private zone; and the at least one master key is configured to encrypt information transmitted between the private zone and the computer resource.

Intel teaches, at least one master key previously stored in the private zone; and the at least one master key is configured to encrypt information transmitted between the private zone and the computer resource.[page 18]

It would have been obvious to one of ordinary skilled in the art at the time of invention made given that the teachings of Harris and Intel before them, to modify the zones to include transmitting security parameters as taught in Intel in the private zones of Harris. The teachings of Intel elaborates more on access keys which encrypt information to be send out from where the regions are allocated to the computer resource (website, abstract). One would be motivated to combine these teaching in security communication dealing with information transmission.

25. Regarding claim 28, the computer resource according to claim 25, further comprising: a secured means configured to transmit a key to the data processing device

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to access the private zone, wherein the data processing device uses the key during communication to authenticate the private zone with the computer resource. (This claim comprises both the teachings which described above, thereby same rationale of rejection is applicable)

26. Regarding claim 29, Harris teaches a data processing system (i.e. computer, abstract) comprising:

a browser comprising a plurality of private zones; (region, abstract) and a data processing device configured to communicate with a plurality of sites via the browser, wherein each of the plurality of private zones is configured to be allocated to the plurality of sites, wherein the browser interprets code instructions stored on the data processing device ensuring that the plurality of sites communicates exclusively (independent, abstract) with an allocated private zone of the plurality of private zones.(abstract)

However Harris does not teach store security information ensuring secured communication between the data processing device and the plurality of sites. Intel teaches the security information ensuring secured communication between the processing device and the websites (page 4). This claim can be referred to the claims described above, there by having the same rationale of rejection is applicable.

27. Regarding claim 30, Harris teaches a method for communication using a data processing device (i.e. computer, abstract), comprising:

creating, in a browser, a first private zone and a second private zone (first region and second region, abstract), wherein each of the first private zone and the second

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private zone is configurable to be allocated to a respective set of resources, allocating the first private zone to the respective set of resources (abstract);

communicating between the allocated private zone and the respective set of resources, wherein a plug-in denies access during the communication to the second private zone (abstract).

However Harris does not teach store security information ensuring secured communication between at least one of the first private zone and the second private zone and the respective set of resources; (However, these features are taught by Intel, as described above, page 4)

28. Regarding claim 31, Harris teaches the method according to claim 30, wherein allocating the first private zone is managed by an entity, wherein the entity allocates the first private zone to the respective set of resources by supplying information comprising a reference of the first private zone. (This claim is similar to the claims above as described, same rationale of rejection is applicable).

29. Regarding claim 32, Harris teaches the method according to claim 31, wherein information supplied comprises a value of a master key stored in the first private zone, wherein the master key is able to encrypt information transmitted between the first private zone and the respective set of resources. (This claim is similar to the claims above as described, same rationale of rejection is applicable).

30. Regarding claim 33, Harris teaches the method according to claim 30, as described above. Harris teaches, wherein the respective set of resources transmits, after execution, is able to ensure that the respective set of resources communicate

exclusively with the first private zone (abstract).

However, Harris does not teach by a secured transmission means, an access key associated with the first private zone, wherein the access key is used to execute a plug-in (wherein a plug-in is interpreted to be a software program that provides added functionality to larger applications such as the application to the regions in Harris's teachings, figure 2B).

Intel teaches secured transmission means, an access key associated with the first private zone, wherein the access key [page 10] is used to execute a plug-in (wherein a plug-in is interpreted to be a software program that provides added functionality to larger applications such as the application to the regions in Harris's teachings).

It would have been obvious to one of ordinary skilled in the art at the time of invention made given that the teachings of Harris and Intel before them, to modify the zones to include transmitting security parameters as taught in Intel in the private zones of Harris.

One would be motivated to combine these teachings of Harris and Intel, to modify the web access advantages of reliability and scalable performance while using security keys to access as taught in Intel in the private zones of Harris or deny the data zones (regions).

31. Regarding claim 34, the method according to claim 30, wherein, to open a secured transaction, the respective set of resources transmits a plug-in (wherein a plug-in is interpreted to be a software program that provides added functionality to larger

applications such as the application to the regions in Harris's teachings), wherein the plug-in is configured to check whether security information written in at least one from the group consisting of the first and second private zones (regions, abstract) corresponds to the security information stored in a memory attached to the respective set of resources. (These limitations in the claim is similar to the claims described above, thereby rationale of rejection is applicable).

32. Regarding claim 35, Harris further teaches a computer plug-in (wherein a plug-in is interpreted to be a software program that provides added functionality to larger applications such as the application to the regions in Harris's teachings) for a data processing device (i.e. computer, abstract), wherein the data processing device is configured to communicate with a plurality of resources via a browser (abstract), wherein the browser comprises a plurality of private zones (regions, abstract), wherein each private zone is configured to be allocated to a respective set of resources and store information specific to the respective set of resources (abstract)

Intel teaches, wherein the plug-in comprises at least one input parameter corresponding to a key to access at least one of the plurality of private zones (regions, abstract), wherein the value of the key is supplied to the data processing device by the respective set of resources, and wherein the plug-in, after execution, authorizes access to the at least one of the plurality of private zones according to the key. (These limitations in the claim is similar to the claims described above, thereby rationale of rejection is applicable).

One would be motivated to combine these teachings of Harris and Intel before

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them, to modify the reducing security risks using access keys as taught in Intel for the communication between the private zones (regions, abstract) and the web-based resource of Harris..

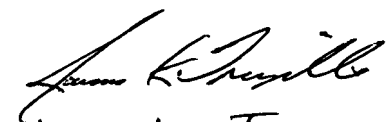
Conclusion

33. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Barak Nissan whose telephone number is (571)-270-3632. The examiner can normally be reached on Mon-Thrus 6:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Beatriz Prieto can be reached on (571)-272-3902. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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TC 2100